

Official Minutes for Webb County Commissioners Court Meeting

Monday, April 14, 2003 at 1:30 P.M.

(Corrections approved 04-28-03 in bold and parenthesis)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 10th of April 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 4 Pledge of Allegiance – Cmr. Judith Gutierrez

- Item No. 3 Invocation – Cmr. Felix Velasquez

- Item No. 5 Approval of minutes – March 24, 2003 meeting

Cmr. Velasquez stated that on page 9 in regards to the reconciliation of bills, it should be the reconciliation of bank statements not bills.

Cmr. Gutierrez motioned to approve minutes with correction. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Communications

Comr. Vasquez stated that the last 7 to 10 days have been controversial for some members of the Court and would like for the bickering and negative comments to be put to rest. He stated that if any of the members of the Court were involved in anything illegal or unethical, it would be that person's prerogative to fix that situation.

Comr. Gutierrez wanted to seek the cooperation of the Court in supporting House Joint Resolution No. 91 which would prohibit unfounded mandates placed on counties unless they are federally mandated. She stated that it was not fair for counties and local governments to have to pick up any projects that the state does not fund. She hopes that this item be placed on a future agenda and that the members of the court show support for this item.

Comr. Velasquez stated that he would like for a moment of silence in memory of Sheriff Juan Garza's mother who passed away last week. He also stated that the CPA in him wanted to remind everyone that all income tax returns would be due tomorrow, the 15th of April 2003.

Comr. Cortez stated that there are currently several House Bills pending that could adversely affect the indigent services provided by the County. He stated that if any department became aware of any House bills that would affect Webb County to please advise the Court so that they can be addressed.

Judge Bruni stated that he would like to advise the public that he does not read the entire agenda item into the record and only hits the "high points" of each item

Item No. 8 Public Comment

Mr. Michael Leblanc of LSC Correction Services was present to address the court in exploring opportunities with Webb County. He stated that he believes that it is time for federal jail to be built in Webb County. He stated that many of the federal inmates that could be sent to Webb County facilities are currently being sent to other facilities over 300 miles away. He stated that his company would like to work with Webb County and build a 500-bed facility with a possibility of adding 250 to 300 more beds in the future as

the need arises. He stated that this facility would be built at no cost to the County and would like to see this item on the next agenda.

Item No. 6 Approval of Bills, Payroll and Monthly reports

Mr. Leo Flores presented the Auditors Report for the period ending March 31, 2003. He stated that on page 3, the top line showed the projected revenues and expenditures. He also stated that the county was currently at 17.93% and that he expected that number to remain the same. He stated that page 25 shows that even though the county has barely finished 50% of the budget year, general fund collections are at 70% budgeted for this year. He stated that page 27 shows the general fund expenditures are at 44% for this fiscal year. He stated that the sales tax received in March were not calculated into these totals due they were received after the report was completed. He stated that about **(\$600,000)** was received from sales tax. Cmr. Velasquez stated that he wanted the public to know that the budget balance at the beginning was \$8.8 million and would be at \$7 million because the expenditures would be higher than the revenues. Cmr. Cortez inquired on any other shortfalls besides the sales tax. Mr. Leo Flores stated that page 25 shows 12 departments in the red in regards to projected revenues. He also stated that some figures may be higher than stated due some monies have not been posted. Cmr. Gutierrez inquired on the impact those departments who have not met their projected revenues will have on the budget. Mr. Flores stated that he would get that information but it would be better for the court to address each department in the red and ask for an explanation from them. He stated that there could be as much as a half-million dollar shortfall on the sales tax revenues. Cmr. Vasquez inquired as to which department would not need the projected expenditures. Mr. Flores stated that it would probably be the Treasurer's because the investments are currently returning at 1 ½ % and would be an additional half-million dollar shortfall. Cmr. Vasquez stated that he knows that some departments rather than return monies to the general fund will do a line-item transfer and spend the monies on other things. He stated that he would like to keep these at a minimum and for all departments to return any monies not used. Cmr. Gutierrez questioned as to why 10 of the grant funds are in the red. Mr. Flores stated that any monies given for grant monies are only used for that purpose and that sometimes the county would pay for services rendered before the grant monies came in. He stated that these funds would end at a

zero balance. Cmr. Velasquez stated that he would like to congratulate the Sheriff's Department for being over \$500,000 under-budget on expenditures and almost \$200,000 over projected revenues.

Ms. Patricia Barrera, Tax Assessor Collector, presented the monthly report for her office. She stated that \$592,479.52 was collected in Ad Valorem taxes with an 89.296% collection rate. She stated that a total of \$29.8 million dollars have been collected in property taxes with only \$3.5 million outstanding. She stated that over \$316,000 was collected in March in motor vehicle registrations, bringing the current year total to over \$3 million. She stated that \$1.9 million were County fees collected and that 76.14% budgeted revenues had been collected to date.

Item No. 8 Public Opinion

Mr. Jesus Cantu, County Veterans' Services Officer, advised the Court that the Webb County Courthouse was the only county courthouse registered with the National Department of Interior by displaying the flags of each of the armed forces as well as the blue stars and yellow ribbons. He stated that the blue stars were first used in World War II and became popular in 1942 and were placed on the windows of homes with family members who were fighting in the war. He stated that the yellow ribbons became popular in 1973 after the recording of the song entitled "Tie a Yellow Ribbon 'round the Old Oak Tree."

Cmr. Velasquez motioned to move up Item No. 11. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Presentation by Earthwise Technologies, Inc., on a precipitation augmentation program.

Mr. Steven Howard of Earthwise Technology / Grupo Respira, was present to address the court on a precipitation augmentation project known as Provaqua. He stated that this project is to promote and provide water to typically dry areas. He stated that this project hopes to link ecological and economical perspectives. He stated that the technology, known as IOLA (Ionization of the Local Areas) changes the electrical charge of water vapor, thereby speeding up the natural velocity of condensation. He stated that

his company is offering to generate 15-20% minimum increase in measurable rainfall with a maximum of 300% increase. He stated that Earthwise only requires cooperation between the County, Mexico (since this would also affect their region) and Earthwise Technology and possible underwriting of project construction. He stated that the company's main goal was to enhance the lives of those living in Webb County as well as the Rio Grande, the 5th most endangered river in the U.S. Judge Bruni thanked Mr. Steven Howard for his informative presentation and stated that he is very interested in this technology. He advised the court that he has visited with several bankers and prominent members of the community as well as city leaders and advised them that this is something that must be done in addition to the current cloud seeding efforts.

Comr. Cortez motioned to move up Item No. 12. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to move up Item No. 12.

Item No. 12 Discussion and possible action approving the adoption of a resolution in support of the Earthwise Technologies, Inc., "Provaqua Project."

Comr. Vasquez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Gutierrez stated that she has known Mr. Howard since the project was first presented to her two years ago in Mexico City. She stated that she was very excited about this project and looked forward to working with Mr. Howard. Comr. Cortez congratulated Judge Bruni for bringing this before the Court. He stated that if \$50,000 per month could be found to pay for the 5th Bridge consultants, then surely the money could be found for this project. Comr. Vasquez stated that he has met with Mayor Betty Flores in regards to this item and she seemed impressed with the project. He advised the public that this was just a resolution and in no way a contract. He stated that he had tremendous respect for Mr. Howard and for his accomplishments.

Item No. 8 Public Comments

Mr. Richard Geissler was present to address several items on the agenda but stated that due Mr. John Castro from VIDA was unable to register in time, he would be handing his time slotted over to Mr. Castro.

Mr. John Castro, vice-chairman of Voices In Democratic Action (VIDA) stated that he was present to address the court on the missing monies that have sparked a federal investigation. He stated that VIDA is requesting that each member of the Court confirm or deny these allegations. He further stated that he was a member of Students in Democratic Action (SIDA) in high school, along with Cmr. Cortez's nephew, Greg Cortez. He stated that Greg believed in justice, democracy and that politicians be held accountable for their action. He stated that he knew that Greg would be disappointed in the manner in which this court has conducted itself and the FBI investigation of missing funds.

- Item No. 9 Discussion and possible action to approve a resolution and order supporting South Texas Development Council and reaffirm participation in the STDC programs and authorize the payment of TWO THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS (\$2,489.00) membership assessment.

Cmr. Gutierrez motioned to approve item as submitted with discussion. Cmr. Velasquez seconded the motion.

Cmr. Gutierrez where the monies for this were coming from due no account number was shown. Mr. Jorge Flores, Chief Financial Officer, stated that this would be paid from Commissioners Court dues and fees.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez advised the Court that no action had been taken on Item No. 6.

- Item No. 6 Approval of Bills, Payroll and Monthly reports

Cmr. Vasquez motioned to accept all reports presented on Item No. 6. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to enter an order of the Webb County Commissioners Court confirming the appointment of two Webb County representatives to the South Texas Development Council Board of Directors for the period beginning January 1, 2003, through September 30, 2003 and authorizing the County Judge to sign all relevant documents.

Judge Bruni appointed Cmr. Vasquez and Cmr. Cortez to the South Texas Development Council Board of Directors.

Judge Bruni motioned to accept appointments. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action on the approval of a resolution supporting House Bill 918, of the 78th Legislative Session, relating to the authority of certain counties to implement a pilot program to provide certain indigent health care services and funding for the program.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion.

Cmr. Gutierrez stated that the Webb County Partners of Health Care Access worked hard to bring this to Webb County. She stated that only 5 counties would be a part of this pilot program. Mr. Raul Casso stated that due to the state budget cuts, Medicaid and CHIP's (Children's Health Insurance Program) would be affected, as would the citizens of Webb County who rely on these programs for their family's medical needs. He stated that currently 42 thousand people in Webb County are receiving Medicaid and 80% of those 42 thousand are children. He stated that this program would allow Webb County, with voter approval, to raise the sales tax by 1% to pay for this pilot program.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action regarding the status of 5th bridge project including negotiations between Webb County and the City of Laredo on joint participation in 5th International Bridge **[Executive session may be**

**requested pursuant to Texas Open Meetings Act,
Section 551.071, Government Code, Consultation with
Attorney]**

Cmr. Gutierrez motioned to defer item to Executive Session at the end of the meeting. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent to defer item to executive session.

- Item No. 15 Discussion and possible action to approve professional services contract with Victory Data for publicist services from April 14, 2003 through September 30, 2003, at a cost of FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) per month and authorizing the County Judge to sign all relevant documents. [Account #001-0200-6022 Professional Services]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 50. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to move up Item No. 50.

- Item No. 50 Discussion and possible action to award or reject bid 2003-34, the thirty-seven (37) acre tract La Presa to International Vapor Power Corporation.

Cmr. Cortez motioned to award bid to Vapor Power Corporation. Question was called before second with all members voting to award bid to Vapor Power Corporation.

- Item No. 16 Discussion and possible action to reduce salaries, (by an amount equal to the increase given in 2001 to all employees with at least 15 years of service), to all positions/slots where the employee that earned the increase has been separated from County employment and to allow 15 year employees that benefited from this increase in salary to transfer the

amount of the increase should they be hired at another county department.

Comr. Vasquez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action on authorizing the County to negotiate Interlocal Agreement with the City of Laredo to participate in the development of a Little League Park adjacent to the existing Father McNaboe Park utilizing Recreation Bond funds not to exceed \$50,000.00 and authorizing the County Judge to sign all relevant documents pertaining to this matter. [Account #678-8103-8710-4 Park Development Precinct 4 Series 2001]

Comr. Gutierrez motioned to approve item as submitted. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that he has not seen any documents in regard to this agreement and would like to have an opportunity to review them before anything is signed.

- Item No. 18 Discussion and acceptance of Webb County Constable Precinct 1, Annual Report on Information Relating to Traffic Stops as required by the Texas Code of Criminal Procedure Law Enforcement Policy on Racial Profiling, Art. 2.132 (b)(7).

- Item No. 19 Discussion and possible action to approve a line item transfer by reducing the budgeted hourly salary of slot #581 by 14 cents from \$13.76 per hour to \$13.62 per hour and increasing the budgeted salary of slot #1266 by 14 cents from \$13.53 per hour to \$13.67 per hour. [Account #001-2500-5001 Payroll]

Comr. Vasquez motioned to approve item No. 18 and No. 19 as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to approve Item No. 18 and No. 19.

Mr. Raul Hinojosa, Constable Precinct 1, presented the Annual Report on Information Relating to Traffic Stops.

Cmr. Vasquez motioned to move up Item No. 48. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to move up Item No. 48.

- Item No. 48 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) 2003 Ford F-150 Crew Cab through the Houston Galveston Area Council bid VE02-06 in the amount of \$25,912.00 for Constable Precinct 1, Raul Hinojosa. [Account #166-2500-8801 Capital Outlay Constable Precinct 1 Federal Forfeiture Funds]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Vasquez stated that he would like for department to continue using forfeiture funds for purchases such as this instead of requesting monies through Capital Outlay or other county funds. Constable Hinojosa stated that his department has been using forfeiture funds instead of capital outlay for about two years already.

Motion carried 5-0 by unanimous consent.

Court was advised that no second was made on Item No. 50.

- Item No. 50 Discussion and possible action to award or reject bid 2003-34, the thirty-seven (37) acre tract La Presa to International Vapor Power Corporation.

Cmr. Cortez motioned to approve Item No. 50 and awarding bid to Vapor Power Corporation. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to award bid to Vapor Power Corporation.

- Item No. 20 Discussion and possible action to enter into a five (5) year (April 1, 2003 through March 31, 2008) burglar alarm service and maintenance agreement with ADT SECURITY SERVICES, INC. to install and service an alarm system at the Self-Help Center located in the colonia "Los Altos" on Highway 359 at a monthly cost of THIRTY DOLLARS (\$30.00). The agreement calls for a one-time ONE HUNDRED AND NINETY-NINE DOLLARS (\$199.00) alarm system installation-connection fee. The total cost of the Agreement is ONE THOUSAND NINE HUNDRED AND NINETY-NINE DOLLARS (\$1,999.00) and authorizing the County Judge to execute all relevant documents. [Account #504-6500-6401 Repair and Maintenance of Building Self-Help Center (Requested by Economic Development)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to enter into an architectural services contract with Architectura S.A. Inc., for the design of park improvements for the Oilton and Mirando City area at a cost of THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) and authorizing the County Judge to sign all relevant documents. [Account #678-8103-8710-2 Park Development Precinct 2 Series **(2001)**]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to request a contract amendment to South Texas Development Council contract #02-19-G03 (Environmental Investigator) to allow a minimum of a one-month extension (through August 31, 2003) and to transfer budgeted funds to supplies and equipment and any matters incident thereto. No impact on General Fund.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Discussion and possible action to authorize the County Judge to execute a warranty deed to the City of Laredo for a .07911-acre tract out of the Lake Casa Blanca Golf Course tract for TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) net and any matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez inquired as to whether funds had already been earmarked for a particular account and to what account it would be deposited. Mr. Homero Ramirez, County Attorney, stated that funds have not been earmarked and would be deposited to the miscellaneous county fund. He stated that the court could earmark those funds at a later time.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to select a consultant from among various proposers (RFP-2003-16) to prepare "In-House Grant Monitoring Procedures" for the County of Webb, recommending Mrs. Norma P. Vargas for a six month period (May 1, 2003 through October 31, 2003) for FIFTEEN THOUSAND DOLLARS (\$15,000.00) and authorizing the County Judge to execute a professional services contract and any other relevant documents. [Account #001-0112-7205-24 Tax Base Study]

Cmr. Cortez motioned to table item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to table item.

- Item No. 25 Discussion and possible action to transfer \$5,678 from slot #1508, Office Manager (Account #001-0105-5001 payroll) to slot #1382, Project Administrator.

Cmr. Cortez motioned to approve item as submitted.

Cmr. Vasquez motioned to table item.

Judge Bruni inquired as to whether motion to table superseded motion to approve. Mr. Homero Ramirez, County Attorney, stated that according to Roberts, motion to table supersedes and must be acted upon before motion to approve can be acted on. He stated that it is at the Courts discretion to accept motion to table or motion to approve. Without a second, Cmr. Cortez motion died.

Cmr. Vasquez motioned to table item. Cmr. Velasquez seconded the motion.

Motion carried 3-1 with Cmr. Cortez voting against and Judge Bruni not voting.

- Item No. 26 Discussion and possible action to approve plans and specifications for the Larga Vista Library addition as prepared by Architectura S.A., Inc., and recommended by the Webb County Engineer

Cmr. Gutierrez motioned to table item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to table item.

- Item No. 27 Discussion and possible action to authorize the Purchasing Agent to solicit construction bids for the Larga Vista Library addition pursuant to the Webb County Commissioners Court approval of plans and specifications.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to enter into a professional services agreement with Architectura S.A., Inc., for the design, preparation of construction of El Cenizo Recreational Center for a fixed fee of TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) and authorizing the County Judge to sign all relevant documents. [Account #678-8103-8710-1 Park Development Precinct 1 Series 2001]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action authorizing the Purchasing Agent to advertise a "Request for Proposal" for an Engineer to design the resurfacing of paved streets, paving of unpaved streets and storm drainage improvements for the City of El Cenizo under the Border Colonia Access Program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action on the approval of a resolution recommending to the Texas Department of Transportation managing the Border Colonia Paving Program to re-designate the funds from Ranchitos Los Arcos, Los Corralitos and Las Pilas Unit I & II on U.S. Hwy 59 to the Colonias of Bruni, Mirando and Los Corralitos.

Cmr. Gutierrez motioned to approve item as submitted with discussion. Cmr. Vasquez seconded the motion.

Cmr. Gutierrez inquired as to the re-designation of funds. Mr. Tomas Rodriguez, Engineering Department, stated that based on the application submitted to the Texas Department of Transportation, Los Corralitos had to be included in this program. He stated that one storm drain would be installed because the streets were already paved at Los Corralitos.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action authorizing the Purchasing Agent to issue a purchase order to Judd Gilpin, P.E., in an amount not to exceed \$12,000.00 for Engineering Services required to plat 10.5 acres of land of Tract #4, Las Blancas Subdivision. [No impact to General Fund]

- Item No. 32 Discussion and possible action to fill Slot #1987 (Maintenance Aide I) at \$8.25 per hour. [Account #001-6001-5001 Payroll]

Cmr. Vasquez motioned to approve item No. 31 and No. 32 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to ratify the Child and Adult Care Food Program budget amendment for the fiscal year 2003-2004 in the amount of \$920,968.33

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to create and fill two (2) slots for Kitchen Aide positions with the Child and Adult Care Food Program (17.5 hours weekly for 10 months) at \$6,352.50, effective April 15, 2003. [Account #906-4209-5001 Payroll]

- Item No. 35 Discussion and possible action to fill slot #1806, full-time AA Teacher at \$890.10 per pay period, effective April 15, 2003. [Account #903-4208-5001 Payroll]

Cmr. Gutierrez motioned to approve item No. 34 and No. 35 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to purchase one (1) computer and two (2) printers for the Indigent Health Care Program from the Certificates of Obligation, Series 2002, not to exceed THREE THOUSAND DOLLARS (\$3,000.00). [Account #696-8007-8801 Capital Outlay Series 2002]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez inquired as to whether these monies would be coming from the **(\$63,000)** dollars in Capital Outlay that had been found and if this equipment was truly necessary. Mr. Jorge Flores,

Chief Financial Officer, stated that the original request was for two computers and two printers and the recommendation from the M.I.S. department was for one computer and two printers. Cmr. Vasquez requested that all departments notify the Court when making requests from Capital Outlay. Mr. Flores stated that all departments are advised to notify the Commissioners Court of any requests for Capital Outlay funds requests.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to authorize the purchase of two (2) computers and printers from the Justice Court Technology Fund. [Account #016-1044-8801 Capital Outlay]

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to approve the following line item transfer:

From:

Account #001-1301-5601 (Administrative travel)	\$1,500.00
Account #001-1301-6005 (Postage)	\$ 700.00
Account #001-1301-6210 (Laundry/Linen)	<u>\$ 400.00</u>
Total:	\$2,600.00

To:

Account #001-1301-6204 (Repairs/Maintenance of Equipment)	\$2,600.00
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Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action on the approval to sell copies to the public of Commissioners Court Meetings, Proclamations, Ribbon Cuttings, Groundbreaking events, Senior Citizen of the Month award, and the Volunteer of the Month award.

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion with discussion.

Comr. Cortez inquired as to whether the \$20.00 search fee shown in the proposed fee schedule would be in addition to the \$5.00 copy fee. Mr. Memo Garcia, M.I.S. Department, stated that the search fee is for any requested copies from 2 or more years back.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action to approve a line item transfer in the amount of ONE THOUSAND DOLLARS (\$1,000.00) from Administrative Travel (Account #001-6002-5601) to Uniforms (Account #001-6002-6202)

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to authorize the Purchasing Agent to purchase a personal computer in an amount not to exceed FOUR THOUSAND DOLLARS (\$4,000.00). [Account #606-8001-8405 Computerization Costs 911 Addressing Program]

Comr. Gutierrez motioned to approve item as submitted. Comr. Velasquez seconded the motion with discussion.

Comr. Velasquez wanted to verify that funds were not from Capital Outlay but from the 911 Addressing Program fund

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action to issue a "Certificate of No Plat Required" pursuant to the exemption provisions of the Webb County Subdivision Regulations under Section XVI, Subsection 1.A (2) to the following tracts:

1. Verizon Wireless, Camino Columbia Toll Road/209022 Site

- Item No. 43 Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" and to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i):

1) Tract 175, Ranchitos Las Lomas II Subdivision, (electric-one dwelling only)

Cmr. Gutierrez motioned to approve item No. 42 and No. 43 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to ratify the filling of Slot #2086 (Assistant Public Defender) in the amount of \$55,697 per year and Slot #264 (Secretary) at \$10.95 per hour.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to authorize the Purchasing Agent to solicit bids to upgrade the intercom system at the Webb County Law Enforcement Center (Jail Facility).
[Account #624-8000-8601-3 Construction in Progress Law Enforcement Project]

- Item No. 46 Discussion and possible action on the approval of a line item transfer in the amount of TWO THOUSAND DOLLARS (\$2,000.00) from Account #001-0600-6402 (Repairs and Maintenance of Equipment) to Account #001-0600-6205 (Material and Supplies)

Cmr. Gutierrez motioned to approve item No. 45 and No. 46 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to authorize the Purchasing Agent to solicit bids to lease purchase one (1) Modular Building 64' X 56' for the Head Start Program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) scanner (substituted for Personal Computers previously approved by the Court) from Southern Computers in the amount of \$6,563.52 for the District Clerk's Office. [Account #696-1110-8801 Capital Outlay Series 2002]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez inquired if these monies would be coming from the \$63 thousand dollar Capital Outlay addition. Mr. Jorge Flores, Chief Financial Officer, stated that this was coming from Capital Outlay monies previously allotted.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action for the approval to add the following forfeiture vehicles to the Webb County Sheriff's fleet:

- a. 1999 Ford Pick-up Truck VIN#2FTZF1729XCA39904
- b. 1999 Ford Pick-up Truck VIN#1FTNW21XED31128

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to approve requests for refunds as recommended by the Tax Assessor-Collector as follows:

1) Killam & Hurd

Reason: Clerical Error – Change of Value

Total Refund: \$1,378.00

2) National City Mutual Mortgage, Attn: Velgin Banks

Reason: Paid in Error

Total Refund: \$505.30

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez inquired if it was acceptable to discuss Item No. 14 in Executive Session or if it would be against the Texas Open Meeting Act. Mr. Homero Ramirez, County Attorney, requested that court speak in Executive Session about this item so that he could give them legal advice. He stated that the Local Government Code, Section 551.071, subsection B-2 allow for the court to speak on matters that would require consultation with an attorney in Executive Session. Judge Bruni advised Court that if anyone felt uncomfortable speaking about this item in Executive Session, he would table matter unless all members agreed to go into Executive Session.

Cmr. Cortez motioned to go into Executive Session and discuss Item No. 14. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent to move into Executive Session.

EXECUTIVE SESSION (3:31 P.M. THROUGH 4:04 P.M.)

Judge Bruni called meeting to order. He stated that absolutely no action was taken during executive session.

Cmr. Vasquez motioned to allow the court 120 days to negotiate with the City of Laredo on a compromise on the 5th Bridge Project. Cmr. Gutierrez seconded the motion.

Judge Bruni stated that if the county would be paying for the services of these consultants, they might as well put them to good use. Mr. Homero Ramirez, County Attorney, stated that all

contracts with consultants have a 30-day notice of termination clause and the contracts are valid for several months. Cmr. Vasquez stated that as part of his motion, he would like for the court to form a negotiation committee to work with the City of Laredo. He stated that members of this committee would have to be receptive to the idea of building a 5th bridge. Cmr. Cortez, Cmr. Gutierrez, Cmr. Velasquez, Homero Ramirez and Raul Casso volunteered to be a part of the committee. Mr. Homero Ramirez, County Attorney, advised court that if more than two members served on the negotiation committee, public notice would have to be posted and all discussions would need to be in open session. Judge Bruni stated that he ran on the platform that the County had no business in building a 5th bridge but is not against making money off the City of Laredo building the bridge. Cmr. Vasquez stated that he would like to see Jim Francis, Steve Gibson, Bob Allen, Raul Casso, Homero Ramirez, Cmr. Gutierrez and himself as members of the negotiation committee. Cmr. Cortez stated that he volunteered and felt that he should also be considered for this committee and that he would do what is in the best interest of the County. Cmr. Velasquez stated that he supported the project at the beginning but the County has already spent \$2.2 million dollars on this endeavor and would like to recoup some of that money, either by selling studies to the city. Judge Bruni stated that he already spoke with Mayor Betty Flores about selling the studies but stated that they declined. Cmr. Gutierrez stated that she ran on the platform to build the bridge and believes that a partnership can be negotiated with the city. She stated that taxes shouldn't be raised anymore because Webb County is not a rural county but an urban county and the city and county are taxing the same people.

Cmr. Vasquez modified his motion from 120 days to 60 days to negotiate a compromise with the City of Laredo on the 5th Bridge Project. Cmr. Gutierrez modified her second to include Cmr. Vasquez's modification.

Motion carried 5-0 by unanimous consent to allow 60 days for negotiations with the City of Laredo on the 5th Bridge Project.

Item No. 53 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to adjourn meeting.